

PATENT MAINTENANUE DIVISION

PATENT Doc. No. 3981-005

AND TRADEMARK OFFICE IN THE UNITED STATES PATER

PM 12: 26 2004 SEP -2

In re application of: Eugene W. Lee

Serial No.

09/676,046

Examiner: Brian D. Nguyen

Confirm. No.: 9832

Filed:

September 28, 2000

Group Art Unit: 2661

For:

SCHEDULING AND ARBITRATION SCHEME FOR NETWORK PROCESSING

DEVICE

Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450

REQUEST FOR REFUND

In the above-referenced matter, as allowed under 37 C.F.R. § 1.28(a), the Applicant requests a refund of the excess amount of fees paid at the large entity rate on July 21, 2004. A copy of the transmittal letter showing large entity additional claims fee and a third extension of time fee is attached as Exhibit A. Applicant qualifies as a small entity under 37 C.F.R. § 127(a) and has provided an assertion of small entity status with this request.

Applicant respectfully requests the refund of the excess amount to be credited to Deposit

Account No. 13-1703.

Type of Payment:

Additional Claims and Extension of Time

Payment was due:

July 21, 2004

Payment was made:

July 21, 2004

Amount paid as large entity:

\$1226.00

Amount due as small entity:

\$613.00

Excess amount for credit:

\$613.00

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.

James E. Harris Reg. No. 40,013

MARGER JOHNSON & McCOLLOM, P.C. 1030 SW Morrison Street Portland, OR 97205 (503) 222-3613

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class small in an envelope addressed to Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450 te: August 27, 2004

PATENT APPLICATION Docket No. 3981-5 PAIENT MAINTENANG DECHIBITE. DIVISION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE in re application of: Eugene W. Lee

Serial No. 09/676,046

Examiner: Brian D. Nguyen

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Group Art Unit: 2661

For: SCHEDULING AND ARBITRATION SCHEME FOR NETWORK PROCESSING DEVICE

Mail Stop AMENDMENT Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

Responsive to the Office Action dated January 21, 2004, enclosed is an amendment in the above-identified application. The fee has been calculated as shown below.

		AS AMEN				
or:	Number After Amendment	Previous Number	Extra	Rate		Additional Fee
	Amendia	31-30	1	×	\$18 =	\$18
Total Claims			2	_	006 -	\$258
ndependent Claims	6	6-3**	3	X	\$86 =	
		3 3 3 3 3	<u> </u>		. Salah	\$950
Extension of Time – 3 rd						\$1,226
TOTAL ADDITIONAL FEI		100				27

^{*}greater of twenty (20) or number for which fee has been paid

Applicant petitions the Commissioner to extend the time for response. The extension fee is 図 included and a duplicate copy of this form is enclosed.

PTO Form 2038 authorizing credit card payment for the above-listed fees is enclosed. X X

Any deficiency or overpayment should be charged or credited to deposit account number 13-1703.

Respectfully submitted,

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in anenvelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Date: July 21, 2004

Jessica Schulz

MARGER JOHNSON & McCOLLOM, P.C.

Kevin S. Ross Reg. No. 42,118

MARGER JOHNSON & McCOLLOM, P.C. 1030 SW Morrison Street

Portland, OR 97205 (503) 222-3613

Customer No. 20575

EXHIBIT A



^{**}greater of three (3) or number for which see has been paid



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D TRADEMARK OFFICE IN THE UNITED STATES PATE

2014 SEP -2 PM 12: 26

In re application of: Eugene W. Lee

9832

Serial No.

09/676,046

Examiner: Brian D. Nguyen

Confirm. No.:

September 28, 2000

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MARGER JOHNSON & McCOLLOM, P.C.

Reg. No. 40.013

MARGER JOHNSON & McCOLLOM, P.C. 1030 SW Morrison Street Portland, OR 97205 (503) 222-3613

ereby certify that this correspondence being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents and demarks, P.O. Box 1450, Alexandria, VA 22313-1450 e: August 27, 2004

AVAILABLE COPY

PATENT APPLICATION Doctor No. 3981-5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PARENT TRAINTERAL NOISIVID

n re application of: Eugene W. Lee

Serial No. 09/676,046

Examiner: Brian D. Nguyen

2004 SEP -2 PM 12: 26

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Group Art Unit: 2661

For: SCHEDULING AND ARBITRATION SCHEME FOR NETWORK PROCESSING DEVICE

Mail Stop AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

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For: Number After Privious Extra			SASAMEN				Additional
Amendment 1	For:			Extra	Rate		1
Total Claims Independent Claims 6 6-3 3 x \$86 = \$258 System sign of Time - 3 rd \$1,226	· · · · · · · · · · · · · · · · · · ·	Amendment		1	x	\$18 =	\$18
Independent Claims 6 6-3** 3 x \$86 = \$258 Extension of Time - 3 rd \$1,226	Total Claims	31				•. •	
Independent Claims \$950 \$1,226		1	£ 280	3	×	\$86 =	\$258
\$950 \$1,226	Independent Claims	0 %			1		
Extension of Time – 3 rd \$1,226	·			<u> </u>			
TOTAL ADDITIONAL FEE	Extension of Time - 3rd	y Artigo			:		\$1,226
	TOTAL ADDITIONAL FEE						

^{*}greater of twenty (20) or number for which fee the best prid

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P.O. Box 1450, Alexandria, VA 22313-1450

Date: July 21, 2004

Kevin S. Ross Reg. No. 42,116

BEST AVAILABLE CUP

MARGER TOHNSON & McCOLLOM, P.C.

MARGER JOHNSON & McCOLLOM, P.C. 1030 SW Morrison Street Portland, OR 97205

(503) 222-3613

Customer No. 20575

^{**}greater of three (3) or number for which the has been paid



PATENT APPLICATION Attorney's Do. No. 3981-005

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In re application of: Eugene W. Lee

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Examiner: Brian D. Nguyen

Confirm. No.: 9832

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Group Art Unit: 2661

For:

Filed:

SCHEDULING AND ARBITRATION SCHEME FOR NETWORK

PROCESSING DEVICE

TRANSMITTAL LETTER

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Enclosed for filing in the above-referenced application are the following:

Request for Refund of Excess Fee Amount Paid

Exhibit A (Copy of July 21, 2004 transmittal letter)

Applicant claims small entity status (see 37 C.F.R. § 1.27)

Any deficiency or overpayment should be charged or credited to deposit account number 13-1703

Return Postcard

冈 Customer No. 20575

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.

nes E. Harris Reg. No. 40,013

MARGER JOHNSON & McCOLLOM, P.C. 1030 SW Morrison Street Portland, OR 97205 503-222-3613

BEST AVAILABLE COP

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 Date August 27, 2004

Lauren Ballard-Gemmell



Name/Number: 09676046

Total Records Found: 6

Start Date: Any Date

End Date: Any Date

Accounting Date	Sequence Num.	Tran Type	Fee Code	Fee Amount Mailroom Date	Payment Method
10/20/2000	00000006	1	<u> 101</u>	\$690.00 09/28/2000	CK
10/20/2000	00000007	<u>1</u>	<u>103</u>	\$180.00 09/28/2000	CK
10/20/2000	00000008	· <u>1</u>	<u>581</u>	\$40.00 09/28/2000	CK
07/27/2004	00000060	1	<u>1201</u>	\$258.00 07/26/2004	CC
07/27/2004	00000061	1	<u>1202</u>	\$18.00 07/26/2004	CC
07/27/2004	00000062	<u>1</u>	<u>1253</u>	\$950.00 07/26/2004	CC



PATENT APPLICATION Do. No. 3981-5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Eugene W. Lee

Serial No. 09/676,046

Examiner: Brian D. Nguyen

Confirmation No. 9832

Filed: September 28, 2000

Group Art Unit: 2661

SCHEDULING AND ARBITRATION SCHEME FOR NETWORK

PROCESSING DEVICE

MAIL STOP AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

RECEIVED

JUL 2 8 2004

Technology Center 2600

RESPONSE TO OFFICE ACTION

Responsive to the Office Action, dated January 21, 2004, please amend the application as follows.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Drawings begin on page 3 of this paper.

Amendments to the Claims begin on page 4 of this paper.

Remarks/Arguments begin on page 11 of this paper.

07/27/2004 MBLAHCO 00000047 09676046

D1 FC:1201 02 FC:1202 258.00 DP 18.00 CP 10/08/2004 SDIRETA1 00000029 09676046

07/27/2004 MBLAHCO 00000047 09876046

03 FC:1253

03 FC:1253

950.00 OP

475.00 OP 129.00 OP 9.00 DP

0030018071

Adjustment date: 10/08/2004 SDIRETA1 07/27/2004 MBLANCO 00000047 09676046

-258.00 OP

-18.00 OP

Adjustment date: 10/08/2004 SDIRETA1 07/27/2004 MBLANCO 00000047 09676046 -950.00 DP

Credit Card Refund Total:

Refund Ref: 10/08/2004

VISA...: XXXXXXXXXXXXXXX5036

Page 1 of 13 Docket No. 3981-5

Application No. 09/676,046

\$613.00